

Notice of Allowability

Application No.

10/782,649

Examiner

Robert W. Wilson

Applicant(s)

YANG ET AL.

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/31/08.
2. ☒ The allowed claim(s) is/are 1, 3-14, & 16-26 (Re#1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Robert W. Wilson
Robert W. Wilson 2/4/08

Allowable Subject Matter

3. Claims 1, 3-14, & 16-26 are allowed. The following is an Examiner's statement of reasons for allowance: Claims 1, 3-14, & 16-26 are considered allowable since when reading the claims in light of the specification, none of the prior art reference or in combination disclose or suggest the combination of limitations specified in the independent claims including:

“receiving a second negative acknowledgement message from one of the plurality of content engine receivers after resending the multicast message the predetermine number of time; and sending a unicast message of content to be distributed in response to the second negative acknowledgment message to the one content engine receiver” as specified in claims 1, 13, 14.

“If the primary content engine sender is active,
a) disregarding the negative acknowledgment message; and

b) if a second negative acknowledgment message is received, sending a network alert; and

if the primary content engine sender is inactive, sending a multicast message to the plurality of content engine receivers in response to the negative acknowledgment message “ , as specified in claims 10 & 23.

“if a response to the negative acknowledgement is not received form the primary content sender, sending the negative acknowledgment message to a secondary content sender thereby triggering a backup system” as specified in claims 11 & 24.

“means for receiving a second negative acknowledgement message from one of the plurality of content engine receivers after resending the multicast message the predetermine number of time; and

Means for sending a unicast message of content to be distributed in response to the second negative acknowledgment message to the one content engine receiver” as specified in claim 12.

“the controller further configured to send a unicast message in response to a second negative acknowledgment message received after the multicast message is sent the threshold number of multicast passes’ as specified in claim 25

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

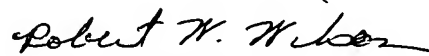
Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571/272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Robert W Wilson
Examiner
Art Unit 2619

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2/4/08